

Fair tonight and tomorrow; light to fresh north-westerly winds.

The Washington Times

REAL ESTATE MEN
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USING TIMES WANT ADS.

NUMBER 3621.

WASHINGTON, TUESDAY EVENING, MAY 10, 1904.

PRICE ONE CENT.

DISTRICT BOARD GIVES FACTS IN SCHOOL SCANDAL

Directs Publication of a Statement Signed February 2, 1903.

REPLY TO MR. MORRELL

Shows Action of Commissioners at Close of the Investigation.

The District Commissioners today issued an official statement giving the main facts regarding the so-called "scandal" in the public schools. This statement was brought out in reply to certain allegations made by Representative Morrell of Pennsylvania in connection with a resolution introduced in the House calling upon the District board for the papers in connection with their investigation of the "scandal" in the month of February a year ago.

Representative Morrell alleged that the Commissioners took no action as a result of their investigation, according to his information. After due consideration the Commissioners say they deem it necessary to declare that Representative Morrell was misinformed. Action was taken, they say, and embodied by them in a statement of conclusions at the close of the investigation, and was signed by the three members of the board on February 2, 1903.

History of Investigation.
By unanimous action the Commissioners today directed the publication of this statement, as follows:

"This matter was laid before the Board of Commissioners February 1, 1902, by Commissioner Macfarland, in charge of public schools, in response of representations which had been made to him. Commissioner Macfarland suggested that charges in writing with offer of proof be requested of those who were desirous to have the matter investigated.

"Pending the consideration of this suggestion Commissioner Ross on the 24th of February, 1902, suggested that the Commissioners request the resignation of George H. Harries, member of the Board of Education. In the interchange of opinions which followed, the other Commissioners opposed this suggestion and insisted that the matter should be investigated. The investigation was suggested by Commissioner Macfarland. This course having been adopted, an effort was made by the Commissioners to secure the presentation of charges in writing with offer of proof.

"The president of the Board of Education having been formally indicated to them as possessed of information respecting the matter, Gen. Henry V. Boynton, the president of the Board of Education, was asked to communicate to any who might be circulating charges the desire of the Commissioners to have them appear to present their charges and proofs formally.

Boynton Gives Names.

"General Boynton appeared before the Commissioners on April 23, and stated that he had no charges to make, but desired to present what he had heard in regard to the matter, which he did. He gave the name of one who could furnish statements of alleged fact except Dr. Louisa N. Lenman.

"The Commissioners thereupon determined to summon Dr. Lenman, and requested Commissioner Ross to communicate with her and seek her appearance before the Commissioners. Dr. Lenman did not appear, but, instead, sent an affidavit.

"The Commissioners insisted that Dr. Lenman should appear, since she was in the city of Washington, but she did not come.

"Meanwhile, Commissioner Ross had suggested that, inasmuch as the Commissioners did not have the power to compel the attendance of witnesses or administer oaths, they should suspend the investigation until they procured the enactment of legislation giving them such authority. [A provision giving the Commissioners such authority had been inserted in the District of Columbia appropriation bill, then pending, at the request of the Commissioners, and as stated to the House Committee on Appropriations, a necessity which arose in connection with a proposed investigation of the Washington Asylum for the Feeble-minded.]

"The other members of the board insisted that it was not necessary to await the enactment of that legislation, and desired to proceed with the investigation.

"Inasmuch as no other witness to alleged facts had been made known to the Commissioners, and inasmuch as

THE WEATHER.

The weather will be fair tonight and Wednesday in all districts, except along the lower lakes where rain, with lower temperature is indicated. It will be warmer Wednesday in the Ohio valley and Tennessee.

TEMPERATURE.
9 a. m. 62
12 noon 65
1 p. m. 68
2 p. m. 70

DOWNTOWN TEMPERATURE.
(Registered by Alleck's Standard Thermometer.)
9 a. m. 62
12 noon 65
1 p. m. 68
2 p. m. 70

THE SUN.
Sun sets today 7:50 p. m.
Sun rises tomorrow 4:53 a. m.

THE TIDE.
High tide today 4:22 p. m.
Low tide today 11:01 a. m.
High tide tomorrow 4:50 a. m., 5:10 p. m.
Low tide tomorrow 11:34 a. m., 11:44 p. m.

NO MORE CONTESTS TO BE FILED BY LOCAL FACTIONS

Norris Will Control District Democratic Convention.

ASSEMBLES THURSDAY

Delegates Declared Elected by Judges Will All Be Seated.

The Norris faction decided today it would enter no contests against any of the delegates to the District of Columbia Democratic convention elected on the Hearst ticket, the one contest made having been filed without the consent of the Norris organization.

Chairman Sefton was so advised this morning by W. Cranch McIntyre, representing the Norris faction. It was accordingly understood, Mr. Ralston and Mr. Siddons, representing the Hearst faction as attorneys, being present and concurring, that there should be no more contests filed by the Hearst organization.

No Come-Back.

In reaching a conclusion not to file contests, the Norris people take the position that all agreed, when the election commission promulgated its rules, that the judges in the various districts should be the arbiters to determine who was and who was not qualified to vote; that the decision of these judges should be final; and their certification of the vote should be accepted as entitling delegates to seats in the convention. In other words, the Norris faction contends there is no power to go back of the returns made by the judges.

Accordingly the convention will be organized by delegates from thirteen uncontested districts, represented by thirty-nine delegates in all, with twenty-one of them pledged to the Norris organization and eighteen to the Hearst organization. This will give the former faction control of the temporary organization and the appointment of the committee on credentials with a majority of Norris men on that committee. The probable result will be that the remaining twenty-four Norris delegates and the three Hearst delegates whose seats are contested, but who were elected on the face of the returns, will be given seats.

Temporary Chairman.

Chairman Sefton will call the convention to order at 12 o'clock Thursday, and the formal call for the convention will be read. The next order of business will be the selection of a temporary chairman.

If, as is confidently expected, the Norris faction retains control, a Norris man will be elected chairman. To him Mr. Sefton will turn over the gavel, and the laborious duties of the election commission will cease.

There is likely to be a lively time over the seating of the delegates from the contested districts, and spectators are promised much entertainment. The entire lower floor of the opera house will be given over to delegates and alternates, uncontested and contested, with seats for those who are contesting. The galleries will be reserved for spectators, and admission will be by ticket.

Delegates to St. Louis.

While the fight for seats in the convention is going on there is also a lively race in progress for the honor of being selected on the delegation to go to St. Louis. This, however, is a good-natured contest, and not likely to result in any personal bitterness. There are eight or nine prominent candidates for the six positions as delegates, and some of the less fortunate will be obliged to go as alternates.

Some who have been most prominent in the fight for Mr. Hearst during the past three months, are openly admitting they were honestly defeated, and are advising that defeat be accepted with good grace. They declare the election was the fairest ever held in the District, and that now it is the duty of the Hearst people to acquiesce in the result as they would have expected the Norris followers to acquiesce had they been defeated.

The more ardent Hearst men, however, declare they will carry the matter to the national convention. Such a course has the disapproval of the leaders who conducted the fight four years ago against the Norris delegation, and whose contest resulted in the appointment of the election commission.

PEACEMAKER BETWEEN BRAZIL AND PERU

Manuel Alvarez Calderon, Peruvian minister to the United States, called on Secretary Hay in relation to the matter yesterday.

If the Brazilian government agrees to the suggestion made through Mr. Thompson, the Peruvian government will, through the American minister at Lima, acquiesce in having the matter referred to arbitration.

Best Lumber, \$1.50 Per 100 Feet.
Frank Libbey & Co., 6th & N. Y. Ave.-Adv.

ATTORNEYS GET CONTENTIOUS IN THE TYNER TRIAL

Dull Proceedings Enlivened by Side Remarks of Lawyers.

WORTHINGTON IS ALERT

Large Number of Witnesses Examined—Similar Evidence Brought Out.

Spirited contentions between opposing counsel and personal "asides" which moved attorneys and even the court to smiles, tended to relieve, in some degree, the monotony of today's session of the Tyner-Barrett conspiracy trial in Criminal Court No. 1.

A larger number of witnesses was examined than at any previous session, but much of the evidence merely reiterated, in connection with other investment concerns, what other witnesses had testified to in connection with their companies. The effect of this was to show to what large extent the Barrett-Nelms circulars had been sent out.

On several occasions counsel for the defense put in an objection to "leading questions" by the prosecution in the identification of these circulars by different witnesses. Judge Pritchard held that the method employed was in the interest of progress in the trial, and permitted Mr. Worthington to file an exception.

Judge and Mrs. Tyner were absent today on account of the uncertainty of the weather. Mrs. Barrett and her woman companions were in attendance, as usual.

Bowman Resumes.

At the opening of the session A. Smith Bowman, secretary and treasurer of the Southern Mutual Investment Company, of Lexington, Ky., resumed the witness stand for cross-examination.

Mr. Worthington's first question was directed to clearing away the confusion surrounding the receipt of the Barrett-Nelms announcements. Witness Pritchard testified yesterday to the receipt of Barrett form of announcement, and said he had seen another form later.

Mr. Worthington read some of the specifications of the indictment at length, and asked the witness' opinion on the same points.

Major Conrad interrupted to ask from what document Worthington was reading, as he believed the indictment confused the allegations of the indictment with testimony actually given in the trial.

Termed an "Inference."

Mr. Worthington explained his points, and Major Conrad replied that he was not sure the jury did not misunderstand that.

"Ah, then, that is an inference of yours, Mr. Worthington; I just wanted to be sure the jury did not misunderstand that."

"I guess he understands it," retorted Mr. Worthington.

"Well, I think it possible they might not have understood it before, and might the Government's special counsel."

The controversy over the identification of the Barrett-Nelms announcements was renewed. Opposing counsel expressed different views as to the exact testimony given by the witness yesterday on this subject, and Mr. Taggart reviewed what he thought the witnesses had said.

"Mr. Taggart is altogether right, your honor, except that he is wrong," rejoined Mr. Worthington.

District Attorney Beach had in hand the verbatim testimony of yesterday's session and handed it to Mr. Taggart in support of the latter's review of the matter. This led to an understanding between counsel on this point.

Companies Classified.

Witness told of receiving a notice from the Postoffice Department placing his company in class 8, of the ten classes into which investment concerns had been divided. He read statistics to show how the expert accountant, Flackler, employed by the department to express an expert opinion on the methods of business in vogue by these concerns, had reported more favorably on their plan than the other companies themselves claimed in their prospectuses.

Some time was devoted to further inquiries along this line, especially as to the arrangement between witness and General Tyner as to closing up the old business of the company.

Search for a Letter.

Mr. Worthington wished to emphasize his contention that the view taken by the witness' company was not the same as held by General Tyner. He tried to draw from the witness some admissions in support of this contention.

Witness declared his views were shown in a letter he had written to General Tyner, and which had not yet been brought into the case. After much searching, counsel for the prosecution could not locate the letter, and Mr. Worthington resumed the cross-examination.

Worthington Makes Comment.

Witness was loath to admit there were other companies doing the same amount of business that his company did, and Mr. Worthington commented: "Of course, I suppose yours is a better one."

Witness assented with a smile.

Opposing counsel had an extended discussion on the point of again taking up certain testimony given by the witness on direct examination and considered again on cross-examination.

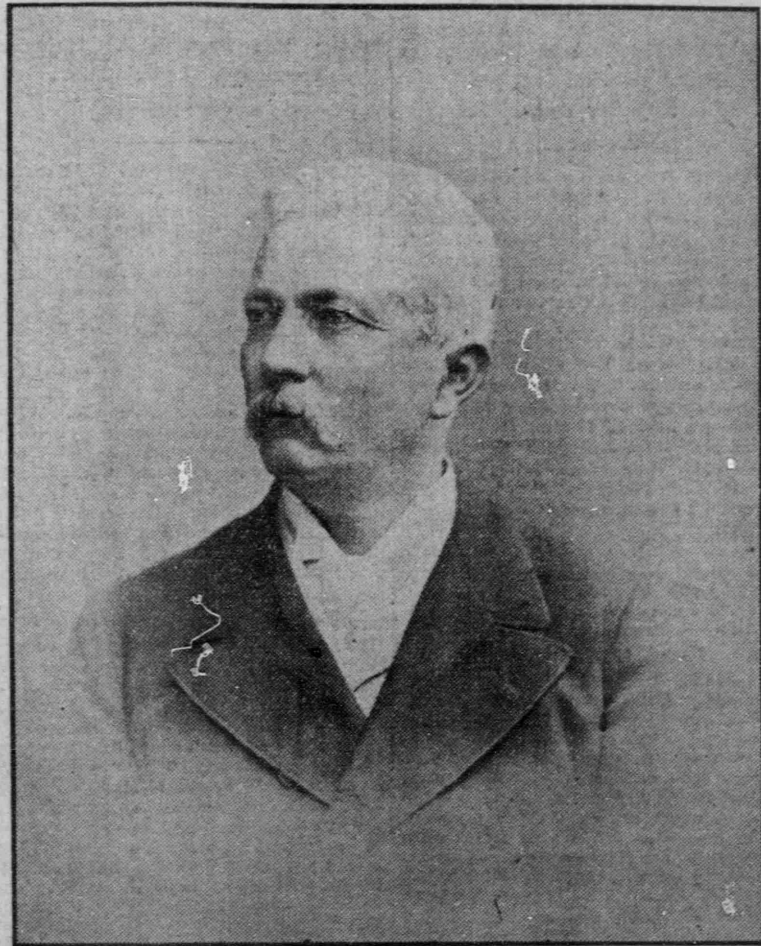
"The agreement was very clean-cut," finally declared the witness, referring to the understanding between General Tyner and the witness as to the use of the mails for closing up the old business of the company.

The witness' examination was concluded soon afterward, and Bowman was excused.

George Ott, secretary of the Mutual Weekly Investment Company, of Lexington, was the next witness called. He said he had received one of the Barrett-Nelms partnership announcements.

(Continued on Ninth Page.)

SIR HENRY M. STANLEY.



FAMOUS EXPLORER DEAD.

Sir Henry and Lady Stanley came to America on their wedding tour in December, 1890, and were entertained at the British Embassy in Washington by Lord Pauncefoot.

The photograph from which this cut was made was taken at the time and presented to one of the legation officials.

HENRY M. STANLEY DIES IN LONDON

Man Who Found Livingstone Succumbs to Pleurisy—Long Career of Intrepid Discoverer Brought to Close.

LONDON, May 10.—Sir Henry M. Stanley, the noted African explorer, died this morning.

He had been physically weak for some months when he caught a cold a fortnight ago, which resulted in a severe attack of pleurisy, with complications.

Sir Henry Morton Stanley, G. C. B., D. C. L., and L. L. D., the man who found Livingstone, who led the expedition which relieved Emin Pasha and brought him out of the forests of the Congo to civilization, was a Welshman by birth.

His name was originally John Rowlands. He was reared in a poorhouse, near St. Asaph, began life as a cabin boy and got to New Orleans, where he was adopted by a merchant, whose name he took.

In Confederate Army.
He served in the Confederate army and as ensign on the ironclad Teconderoga. After the war he went as newspaper correspondent to Turkey. In 1868 he did his first important piece of newspaper work, going to Abyssinia with the British expedition as correspondent of the "New York Herald."

In 1859 James Gordon Bennett started him off for Africa to find Dr. David Livingstone, the explorer and missionary, of whom nothing had been heard for two years.

Finding of Livingstone.

He reached Zanzibar in January, 1871, organized his search expedition and started for the inland in March, with 1,500 native followers. He found Livingstone at Ujiji, on the shore of Lake Tanganyika; in the following November, furnished him with supplies, explored the lake with him and then left him just as Livingstone started out on his last expedition, on which he died. Stanley got back to England in March, 1872, and found himself famous. The British association entertained him, Queen Victoria sent him a gold and diamond snuff box, and the Royal Geographical Society entertained him at dinner. In 1875 he was sent to Africa again, and explored Lake Victoria Nyanza after great hardships. He descended the Congo in a memorable trip of eight months and got back to civilization on a Portuguese man-of-war. He then received the Cross of the Legion of Honor.

Next, in succession, he explored the Congo, founded the present Congo Free State, and mapped Stanley Pool and the Upper Congo, which is named after him.

Relief of Pasha.
His last work was the relief of Emin Pasha, who had been left behind in Central Africa when the Mahdi swept over the Sudan, wiping out the outposts of Egyptian civilization. He found Emin and brought him home.

Several notable books of travel and exploration were written by him. After his return in triumph from the rescue of Emin Pasha he married Dorothy Tennant, eldest daughter of Sir George Tennant, and an artist of note.

He was elected to parliament from the Lambeth division of London. He was sixty-three years old.

One of the most notable dinners in Washington officialdom was that given at the British embassy here to Sir Henry and Lady Stanley when they visited Washington on their wedding trip in 1890. The distinguished explorer and his bride spent a week at the embassy as the guest of Lord and Lady Pauncefoot, and, together with Mrs. Tennant, mother of Lady Stanley, and Hamilton Aide, the writer, were royally entertained. At a state dinner given at the embassy many of the most prominent men of the United States were present. Sir Henry Stanley gave a lecture at a public hall, which was attended by crowds.

The local officers of the Adams Express Company and the Pennsylvania Railroad have only meager dispatches concerning the wreck, in which it is announced that delay is going to result. None knew anything about \$50,000 being on board nor of any previous attempt to wreck the train.

The wreck this morning, however, seems to have been purely accidental. The engineer tried to make a cross-over switch, it is thought, at too rapid a speed. The result was that the engine and two cars went over a fifty-foot embankment into the Byrum River.

Traffic was not seriously delayed by the accident.

The Pennsylvania train on which the wrecked cars were to have reached Washington came in on time with such of the express matter as could be collected.

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JAPS REPULSED ON LIAO-TUNG

Port Arthur Reported Free on Land Side. Russians Driven Back in Battle Near Liao-Yang.

KUROPATKIN AND ALEXIEFF AT ODDS ON CONDUCT OF WAR

Commander of the Army Sends Long Message to St. Petersburg Telling of Differences—Wires to Vladivostok Cut.

ST. PETERSBURG, May 10.—A dispatch received today reports that Port Arthur is again free on the land side. The Japanese, says the dispatch, have been repulsed in an encounter twenty kilometers from the railway.

RUSSIAN DEFEAT NEAR LIAO-YANG.

LONDON, May 10.—A telegram from Shanhaikwan, China, says a serious action has taken place between the Japanese and the Russian forces south of Liao-Yang, Manchuria, and that the Russians are falling back.

Liao-Yang is on the railway between Mukden and Port Arthur.

KUROPATKIN AND ALEXIEFF AT ODDS.

ST. PETERSBURG, May 10.—General Kuropatkin has sent a long telegram explaining the situation at the front and declaring that his plans for the conduct of the war are entirely different from those of Viceroy Alexieff.

WIRES TO VLADIVOSTOK CUT.

PARIS, May 10.—Dispatches mention a persistent rumor current in the Russian capital that the telegraphic communication with Vladivostok has been cut and the railway destroyed.

Kuropatkin at Front; Alexieff Away Back

ST. PETERSBURG, May 10.—Admiral Alexieff has telegraphed to the Czar that he is removing the viceregal headquarters from Mukden to Harbin, but it is officially denied that General Kuropatkin has withdrawn to Harbin.

He does not intend to retire from Liao-Yang; at any rate not for the present. There is much speculation and difference of opinion among exalted military authorities on this point.

Some assert that General Kuropatkin would gain enormously by retiring to Harbin and drawing the Japanese inland, but they believe he is convinced of the necessity of hindering the Japanese from getting command of the railway and he will do his utmost to prevent them. He will also, it is thought, attempt to relieve Port Arthur.

Russian Force Inadequate.

Others assert he has not a sufficient force to hold southern Manchuria, controlling more than 200,000 troops south of Harbin. Though he may retain Liao-Yang for the present, he will be compelled to abandon the town if the enemy brings a superior force along the northern road to Mukden.

The increasingly threatening attitude of the Chinese is also a serious factor in the situation, which may contribute to inducing General Kuropatkin to evacuate Liao-Yang.

The ministry of marine announces that Admiral Jessen's squadron is in Vladivostok harbor.

Retreat Before Numbers.

ROME, May 10.—The "Agenzia Libera" prints a dispatch from St. Petersburg which says General Kuropatkin has telegraphed to the Czar that, as the Russian forces in the Far East are insufficient in number to oppose the Japanese, he has withdrawn the various advanced detachments, and is concentrating them for the defense of Mukden and Harbin.

Cruiser Raleigh Takes Station at Niuchwang.

An American warship has been ordered to take station near Niuchwang that it may go to the relief of foreigners in the Manchurian city in case of rioting between the time of the Russian evacuation and the Japanese occupation.

The United States cruiser Raleigh, which is at Chemulpo, two days from Niuchwang, has been ordered to proceed to Chefoo, which is only one day from Niuchwang. Either the gunboat Wilmington or the gunboat Helena will be ordered from Wenchow to Chefoo, that it may accompany the Raleigh to the scene of rioting.

Instructions have been sent to Rear Admiral Cooper, commanding the Asiatic station, to be in readiness for the protection of the interests of foreigners at Niuchwang, and additional warships are available in case they are needed.

For years the United States has kept a gunboat at Niuchwang during the winter to prevent rioting. Although the city is a Chinese port, and has been under the control of Chinese, China has not been able to prevent clashes between Russian and Chinese forces. The city is in a part of Manchuria where outlaws abound and make much trouble and have done much to inspire the clashes between citizens of different nations for which Niuchwang has been notorious.

FOREIGNERS AT NIUCHWANG FEAR BANDITS WILL PILLAGE

CHEEFOO, May 10.—Passengers on the steamship Petrach, from Niuchwang, report the Russians have begun the evacuation of the place. Some guns have been taken from the forts, and many troops have already left.

SHANHAIKWAN, May 10.—Refugees from Niuchwang urgently request the dispatch thither of a second gunboat, in view of the evacuation of the town by the Russians and the presence in the vicinity of a large number of Chinese bandits.

Dalny Occupied.

TOKYO, May 10.—The report is reiterated that Dalny has been occupied by the Japanese, who, it is said, will thus be able to cut off Port Arthur's electric supply, which would seriously check the use of the searchlights at the fortress there.

It is stated that owing to Chinese bandits destroying the road from Niuchwang to Hancheng the Russians are making a new one for the retreat of 15,000 troops from Niuchwang.

Cable Cut.

LONDON, May 10.—The Chefoo correspondent of the "Chronicle" says he believes the cable between Chefoo and Port Arthur has been cut.

A dispatch to the "Telegraph" says Japan has requested the United States

to inquire concerning the fate of the forty men who were missing after the capture of several of them were captured.

So far as known there is no trouble yet at Niuchwang. It is reported from Shanhaikwan that the Russian evacuation of Niuchwang continues, but they have promised to leave a sufficient guard to prevent pillaging. It is in no way certain that the evacuation will continue without interruption.

To Attack Niuchwang.

It is believed in Tokyo that an attack on the port is immediately impending, while, according to the Chefoo correspondent of the "Chronicle," the Japanese are already paying attention to the railroad in the neighborhood, they having, it is said, destroyed three bridges between Niuchwang and Port Arthur, and fired upon two trains going eastward from Niuchwang, compelling them to return. A woman on one train was wounded.

The "Express" correspondent at Niuchwang is visiting Tientsin, whence he reports a large number of the residents of Niuchwang have left for Tientsin. The Russians there are in a state of great excitement. Most of the troops had already left the town when the foreigners remaining there are in a state of panic. The Chinese are jubilant.

There is every reason to expect that the place will be pillaged unless strong